REMARKS

In response to the Office Action of August 11, 2006, the Applicant submits this Reply. In view of the foregoing amendments and following remarks, reconsideration is requested.

Claims 1-27 remain in this application, of which claims 1, 7, 8, 18, 21, 25, 26 and 27 are independent. No fee is due for claims for this amendment. In the Office Action, claims 1-27 were rejected.

An information disclosure statement citing U.S. Patent 6,161,115, cited in paragraph 00028 of this application, accompanies this Reply.

Claims 4 and 19 have been amended to overcome the objections made in the Office Action.

Rejection Under 35 U.S.C. §102

Claims 1-16, 18-20 and 25-26, of which claims 1, 7, 8, 18, 25 and 26 are independent, were rejected under 35 U.S.C. §102 in view of U.S. Publication 2005/0283741 ("Balabanovic"). The rejection is respectfully traversed.

According to *Balabanovic*, a "multimedia story creation and playback system" [para. 0014] has a display component that "allows a user to navigate through the objects in storage" [para. 0025]. In particular, this navigation:

> "may include being able to browse through raw objects (e.g. objects without narrations associated or attached thereto), browse through stories, and play back previously created stories. In one embodiment, playing back a story involves showing the user a slideshow of images along with any accompanying narrations."

Also according to *Balabanovic*, this system has an "interaction component [which] allows the user to create new stories." *Balabanovic*, para. 0026.

In the Office Action, with respect to independent claims 1 and 7 it is asserted that *Balabanovic* teaches the claimed "without direction defined according to the user" somewhere in paragraph 0025. Applicant respectfully disagrees. This portion of *Balabanovic* teaches how a *user* can browse through media objects that are stored. All of the mechanisms described (browsing raw objects, browsing through stories and playing back of previously created stories, playing a slideshow) are all mechanisms that involve the user selecting which objects to view.

In contrast, the claim language "without direction defined according to the user" indicates that the selection of the assets to be displayed to the user is machine-directed, so as to inject spontaneity into the search for digital media assets or to expose media assets that might otherwise remain concealed if they are not searched for. See paragraphs 00013 and 00014 of the present application. It is not clear how *Balabanovic* teaches any selection that is "without direction defined according to the user."

Accordingly, the rejections of independent claims 1 and 7 are respectfully traversed. Clarification of how the claims are being construed and/or how *Balabanovic* is being understood is respectfully requested if this rejection is not withdrawn.

Regarding independent claims 8 and 25, as amended, *Balabanovic* fails to teach that the selected digital media assets are displayed sequentially, such that only one of the selected digital media assets is a currently exhibited digital media asset, and such that the input from the user indicating the user's interest is received during exhibition of the currently exhibited digital media asset. While *Balabanovic* has a screen saver feature that cycles through all the stories in the system [paragraph 0067], *Balabanovic* does not enable a user to select a currently displayed story during this screen saver operation. Further, the selection of an asset through "add button 230" [paragraph 0052] or an annotation [paragraph 0038] in *Balabanovic*, is not performed during the sequential exhibition of selected assets as required by these claims as amended. Accordingly the rejection of claims 8 and 25 is overcome.

Regarding independent claims 18 and 26, these claims recite "randomly selecting digital media assets from among the stored digital media assets," and "exhibiting the selected digital media assets to a user." The Office Action asserts that these limitations are met by ordering assets by time of creation or other such features, or by a database query, referring to paragraphs 0031 and 0032 of *Balabanovic*. Applicant respectfully disagrees. The claim language is explicitly defined in the specification as "any random or deterministic process for selecting items from a set such that the selected items, when presented in a sequence, *do not appear to be in an ordered sequence.*" Specification, para. 00014, emphasis added. Clearly, the explicit ordering in *Balabanovic* does not meet this definition. Accordingly, the rejection of claims 18 and 26 is traversed. This argument also applies to dependent claims 6 and 9.

The remaining dependent claims 1-6, 9-16 and 19-20 are allowable for at least the same reasons as the independent claims from which they depend.

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Rejection Under 35 U.S.C. §103

Claims 17, 21-24 and 27, of which claims 21 and 27 are independent, were rejected under 35 U.S.C. §103 in view of *Balabanovic* and U.S. Patent 6,366,296 ("Boreczky"). The rejection is respectfully traversed.

Balabanovic is discussed above.

The Office Action also indicates that *Balabanovic* "does not expressly disclose comparing of the metadata of each scene with the metadata of the currently exhibited media asset and displaying to the user an indication of relevance of the currently exhibited digital media asset scenes according to the result." Office Action, page 9, lines 5-8.

According to *Boreczky*, "a media browser includes a feature indicator thar provides information related to a corresponding selected feature based on a corresponding confidence score." *Boreczky*, col. 2, lines 20-25. *Boreczky* also states the "providing feature information in a media browsing system can be very useful for a user when identifying areas of interest in a media file, controlling media playback, editing a media file or performing other operations with a media file.

While *Boreczky* might suggest providing feature information for media files in *Balabanovic*, there is no teaching or suggestion in either reference of "comparing the *metadata of each scene* with the meta data of the currently selected media asset" and "displaying . . . an indication of relevance of the currently exhibited digital media asset to at least one of the scenes according to a result of the comparison." *Boreczky* states that the "confidence score" for a file "related to the existence of a corresponding selected feature in the media file." In contrast, the claims recite that a comparison is made between *metadata of each scene* and the metadata of the currently exhibited file. There is nothing in *Boreczky* that suggests that the "selected feature," for which a feature information or a confidence score is determined, is *the metadata of each scene*, as claimed.

Accordingly, the rejection of independent claims 21 and 27 is traversed. The remaining dependent claims 17 and 22-24 are allowable for at least the same reasons. Claim 17 also is dependent upon claim 8 and is allowable for at least the same reasons as independent claim 8.

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CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to **Deposit Account No. 50-0876.**

Respectfully submitted,

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